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14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN JOSE DIVISION

17 DONNA J. FORSYTH, SIDNEY L.  
18 STATON III, ARUN VATTURI, DAN  
WEILAND, KAKEN BECKS, ED  
19 KAPLAN, ALBERT DEVERE, AND  
SHAFIQ RAHMAN, for an on behalf of  
20 themselves and other persons similarly  
situated,

21 Plaintiffs,

22 v.

23 HP INC. and HEWLETT PACKARD  
24 ENTERPRISE COMPANY,

25 Defendants.  
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CASE NO. 5:16-CV-04775-EJD-NC

**CLASS ACTION**

**STIPULATED REQUEST AND**  
~~PROPOSED~~ **ORDER TO EXTEND**  
**CERTAIN DEADLINES IN CURRENT**  
**CASE MANAGEMENT ORDER**

**[N.D. Cal. LR 6-1]**

Complaint Filed: August 18, 2016  
Trial Date: Not Set

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1 **STIPULATED REQUEST**

2 Pursuant to Civil Local Rule 6-2, Plaintiffs Donna J. Forsyth, Sidney L. Staton III,  
3 Arun Vatturi, Dan Weiland, Karen Becks, Ed Kaplan, Albert Devere, and Shafiq Rahman  
4 (hereafter collectively "Plaintiffs") and Defendants HP Inc. and Hewlett Packard Enterprise  
5 Company (hereafter collectively "Defendants") (Plaintiffs and Defendants are hereafter referred to  
6 as the "Parties"), hereby jointly submit a stipulated request for an order of the Court extending  
7 certain deadlines contained in the Court's June 19, 2017 Case Management Order. This stipulated  
8 request is supported by the accompanying Declaration of Richard W. Black.

9 In support of this stipulation, the Parties agree and stipulate as follows:

10 1. Plaintiffs initiated the present action against Defendants in the United States  
11 District Court for the Northern District of California on August 18, 2016. (See ECF, Doc. No. 1.)

12 2. Defendants were served with the Summons and original Complaint in this  
13 action on August 23, 2016.

14 3. By stipulation, the Parties agreed to a sixty (60) day extension of time for  
15 Defendants to respond to the original Complaint. (See ECF, Doc. No. 14.). Pursuant to the  
16 stipulation, Defendants' responded to the original Complaint on November 14, 2016. (See ECF,  
17 Doc. Nos. 42-44.)

18 4. On December 19, 2016, Plaintiffs filed an Amended Complaint. (See ECF,  
19 Doc. No. 60.). Defendants' responded to the Amended Complaint on January 30, 2017. (See ECF,  
20 Doc. Nos. 74-75.)

21 5. On June 15, 2017, the Parties submitted a Joint Case Management Statement.  
22 (See ECF, Doc. No. 121). On June 19, 2017, the Court issued the current Case Management Order  
23 in the case addressing deadlines prior to the filing of Plaintiffs' Motion for Conditional Certification  
24 and the briefing and hearing date on that motion. (See ECF, Doc. No. 122) ("Current Case  
25 Management Order").

26 6. In the Court's June 19, 2017, the Court established the following schedule:

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EVENT	DEADLINE
Pre-Conditional Certification Expert Disclosures	September 25, 2017
Pre-Conditional Certification Rebuttal Expert Disclosures	November 6, 2017
Deadline for completion of Pre-Conditional Discovery and Pre-Conditional Expert Discovery	November 27, 2017
Filing of Plaintiffs' Motion for Conditional Certification	January 14, 2018
Filing of Defendants' Opposition to Plaintiffs' Conditional Certification Motion	February 9, 2018
Filing of Plaintiffs' Reply in Support of Motion for Conditional Certification	March 9, 2018
Hearing on Plaintiffs' Motion for Conditional Certification	May 17, 2018

7. Both prior to and following the entry of the Current Case Management Order, the parties have engaged in discovery on both sides, and have worked to address and attempt to resolve discovery issues. Despite these efforts, the Parties believe that it is necessary to extend certain of the dates contained in the Current Case Management Order so that the Parties can attempt to complete pre-conditional certification expert disclosures, discovery, and expert discovery prior to the filing of Plaintiffs' Motion for Conditional Certification.

8. The Parties thus, by this stipulated request, respectfully request that the Court enter an order extending each date in the Current Case Management Order (*with the exception of the date for the Hearing on Plaintiffs' Motion for Conditional Certification*) to the dates in the chart below:

EVENT	DEADLINE
Pre-Conditional Certification Expert Disclosures	November 24, 2017
Pre-Conditional Certification Rebuttal Expert Disclosures	January 19, 2018
Deadline for completion of Pre-Conditional Discovery and Pre-Conditional Expert Discovery	February 9, 2018
Filing of Plaintiffs' Motion for Conditional Certification	February 23, 2018

1	Filing of Defendants' Opposition to Plaintiffs' Conditional Certification Motion	March 27, 2018
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3	Filing of Plaintiffs' Reply in Support of Motion for Conditional Certification	April 24, 2018
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5	Hearing on Plaintiffs' Motion for Conditional Certification	May 17, 2018

6                   9.       This Stipulation will not alter the date of the hearing on Plaintiffs' Motion for  
7 Conditional Certification, which would still be set for May 17, 2018.

8                   10.       This is the first extension of the dates set forth in the Current Case  
9 Management Order in this matter.

10 **IT IS SO STIPULATED.**

11 Dated: September 8, 2017

12  
13 /s/ Jennie Lee Anderson  
14 JENNIE LEE ANDERSON  
15 *Attorneys for Plaintiffs and the proposed*  
16 *classes*

17  
18 Dated: September 8, 2017

19 /s/ Benjamin A. Emmert  
20 BENJAMIN A. EMMERT  
21 LITTLER MENDELSON, P.C.  
22 *Attorneys for Defendants*  
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1 ECF CERTIFICATION

2 Pursuant to Civil L.R. 5-1(i)(3), the filing attorney attests that he has obtained concurrence  
3 regarding the filing of this document from the signatories to the document.

4 We hereby attest that we have on file all holographic signatures corresponding to any  
5 signatures indicated by a conformed signature (/s/) within this e-filed document.  
6

7 Dated: September 8, 2017  
8

9 /s/ Benjamin A. Emmert  
10 BENJAMIN A. EMMERT  
11 LITTLER MENDELSON, P.C.  
Attorneys for Defendants

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1 **[PROPOSED] ORDER APPROVING STIPULATED REQUEST**

2 The Parties in this case seek to extend certain deadlines included in the Court's June 19, 2017  
3 Case Management Order. Based upon the record and the stipulated request of the Parties, and with  
4 good cause therefor, it is ordered that the June 19, 2017 Case Management Order shall be amended  
5 to reflect the following deadlines:  
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EVENT	DEADLINE
Pre-Conditional Certification Expert Disclosures	November 24, 2017
Pre-Conditional Certification Rebuttal Expert Disclosures	January 19, 2018
Deadline for completion of Pre-Conditional Discovery and Pre-Conditional Expert Discovery	February 9, 2018
Filing of Plaintiffs' Motion for Conditional Certification	February 23, 2018
Filing of Defendants' Opposition to Plaintiffs' Conditional Certification Motion	March 27, 2018
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Hearing on Plaintiffs' Motion for Conditional Certification	May 17, 2018

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22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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24 DATE: September 8, 2017

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Hon. Edward J. Davila